

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re: ) Chapter 11  
 )  
W.R. GRACE & CO., et al., ) Case No. 01-1139 (JKF)  
 )  
Debtors. ) (Jointly Administered)

**NOTICE OF APPEAL**

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|--|--|---|
| TO: James J. Restivo, Jr., Esq.<br>Lawrence E. Flatley, Esq.<br>Douglas E. Cameron, Esq.<br>Traci S. Rea, Esq.<br>REED SMITH LLP<br>435 Sixth Avenue<br>Pittsburgh, PA 15219 | David M. Bernick, Esq.<br>Janet S. Baer, Esq.<br>Lisa Esayian, Esq.<br>Samuel Blatnick, Esq.<br>KIRKLAND & ELLIS LLP<br>200 East Randolph Drive<br>Chicago, IL 60601 | Laura Davis Jones, Esq.<br>James E. O'Neill, Esq.<br>Timothy P. Cairns, Esq.<br>PACHULSKI STANG ZIEHL &<br>JONES, LLP<br>919 N. Market Street, 17 <sup>th</sup> Floor<br>Wilmington, DE 19801 |
| <i>Co-Counsel to the Debtors</i>   | <i>Co-Counsel to the Debtors</i>   | <i>Co-Counsel to the Debtors</i>  |

PLEASE TAKE NOTICE that, pursuant to Rule 8001 of the Federal Rules of Bankruptcy Procedure, claimant Macerich Fresno Limited Partnership, by and through its undersigned counsel, hereby appeals under 28 U.S.C. § 158(a) to the United States District Court for the District of Delaware from this Court's *Order Granting Summary Judgment In Favor of Debtors* [Docket No. 19743] (the "Order") entered October 14, 2008. A copy of the Order is attached hereto as Exhibit A.

The names of all parties to this action and their respective attorneys are as set forth above.

Dated: October 24, 2008

**ASHBY & GEDDES, P.A.**



William P. Bowden (I.D. #2553)  
Amanda M. Winfree (I.D. #4615)  
500 Delaware Avenue, 8th Floor  
P.O. Box 1150  
Wilmington, Delaware 19899  
Tel: (302) 654-1888

- and -

**PILLSBURY WINTHROP SHAW PITTMAN LLP**

Gerald F. George (CA I.D. #142573)  
Rita S. Chan (CA I.D. #234754)  
50 Fremont Street  
P.O. Box 7880  
San Francisco, CA 94120-7880  
Tel: (415) 983-1000

*Attorneys for Claimant Macerich Fresno Limited  
Partnership*